

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

MARCUS MABLE, JR.,

Plaintiff,

Civil No. 09-766 (JNE/JJG)

v.

PATRICK HOEL,

Defendant.

**ORDER ON REPORT AND
RECOMMENDATION**

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that this action is **DISMISSED WITHOUT PREJUDICE**

Dated: June 16, 2009

s/ Joan N. Ericksen

JOAN N. ERICKSEN

United States District Judge